

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JEFFERY M. GOODWIN,

Plaintiff,

v.

STEVEN R. GLUNT, Superintendent;
MAREA LEAKY, Physician's Assistant;
And SCI HOUTZDALE MEDICAL
DEPARTMENT,

Defendants.

)
) Civil Action No. 3: 13-cv-0148
)
) United States District Judge
) Kim R. Gibson
)
)
) United States Magistrate Judge
) Cynthia Reed Eddy
)
)
)
)

MEMORANDUM ORDER

The above captioned case was initiated on July 11, 2013 by the filing of a motion to proceed *in forma pauperis* and was referred to United States Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and the Local Rules of Court for Magistrate Judges. Along with the Motion for Leave to Proceed in forma pauperis, filed Plaintiff a Motion for Injunction (ECF No. 1-5).

On August 16, 2013, the Motion for Leave to Proceed in forma pauperis was granted (ECF No. 4), and thereafter the Complaint (ECF No. 6) and Motion for Preliminary Injunction were filed (ECF No. 8). Service has not been made upon any of the Defendants.

On August 23, 2013, Magistrate Judge Eddy filed a Report and Recommendation (ECF No. 10) recommending that Plaintiff's Motion for Injunction be denied. Plaintiff was served with the Report and Recommendation at his listed address. Plaintiff filed timely written objections to the Report and Recommendation (ECF No. 12).

In his objections, Plaintiff again requests that his medical status be restored or, in the alternative, that he be allowed to "reserve[] the right to reassert this request relief at a later date." Obj. at 1. Petitioner's objections do not undermine the recommendation of the magistrate judge.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, and the Objection thereto, the following order is entered:

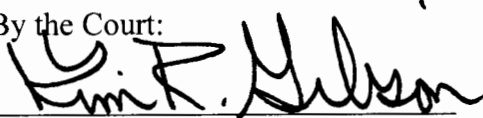
AND NOW, this 16th day of September, 2013;

IT IS HEREBY ORDERED that Plaintiff's Motion for Injunction (ECF No. 8) is **DENIED** without prejudice.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 10) is **ADOPTED** as the Opinion of the Court.

IT IS FURTHER ORDERED that this matter is remanded back to the magistrate judge for all further pretrial proceedings.

By the Court:



Kim R. Gibson
United States District Judge

cc: JEFFERY M. GOODWIN
DG-0487
SCI Houtzdale
P.O. Box 1000
209 Institution Drive
Houtzdale, PA 16698-1000